

REMARKS

Claims 1-25 were presented for examination in the present application. The instant amendment cancels claims 2 and 3 without prejudice. Thus, claims 1 and 4-25 are presented for consideration upon entry of the instant amendment.

Claims 1-25 were rejected under the judicially created doctrine of non-statutory obviousness-type double patenting over claims 1-20 of U.S. Patent No. 6,847,297. Applicants submit herewith a terminal disclaimer under 37 C.F.R. §1.321 and the fee required under 37 C.F.R. §1.20(d). Applicants respectfully submit that the terminal disclaimer obviates this rejection. Reconsideration and withdrawal of the rejection to claims 1-25 are respectfully requested.

Claims 3-6 and 8-25 were not rejected over any cited art and, thus, are believed to be allowable over the cited art.

Claim 7 has been amended to correct an obvious error, namely to change "said processing unit" to "said central computer". It is respectfully submitted that this amendment merely makes explicit what had been implicit in the claim.

Claims 1, 2, and 7 were rejected under 35 U.S.C. §102 over U.S. Patent No. 5,672,943 to Vivers et al. (Vivers).

Independent claim 1 has been amended to include elements of claims 2 and 3, which have been cancelled. Claim 3 was indicated, by the lack of substantive rejection, to be allowable. Applicants respectfully submit that amended claim 1 is not disclosed or suggested by Vivers.

Claim 1 is therefore in condition for allowance. Claims 4-6 are also in condition for allowance for at least the reason that they depend from claim 1. Reconsideration and withdrawal of the rejection to claims 1 and 4-6 are respectfully requested.

Independent claim 7, in part, requires "a central computer" and "a data network communicating between said central computer and said first data module so that said central computer performs primary power distribution functions for the power distribution system".

Applicants respectfully submit that Vivers fails to disclose or suggest the central computer that performs primary power distribution functions for a power distribution system as recited by claim 7. In contrast, Vivers merely discloses a programmable logic controller (PLC) that controls an array of motors (M1, M2, M3). However, the PLC of Vivers simply can not perform primary power distribution functions for a power distribution system as recited by claim 7.

Therefore, claim 7 is in condition for allowance. Claims 8-12 are also in condition for allowance for at least the reason that they depend from claim 7. Reconsideration and withdrawal of the rejection to claims 7-12 are respectfully requested.

In view of the above, it is respectfully submitted that the present application is in condition for allowance. Such action is solicited. If for any reason the Examiner feels that consultation with Applicants' attorney would be helpful in the advancement of the prosecution, the Examiner is invited to call the telephone number below.

Respectfully submitted,



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